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EXAMINER

SHELTON, BRIAN K

ART UNIT PAPER NUMBER

2611

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7

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/378,533

Applicant(s)

MCKISSICK ET AL.

Examiner

Brian Shelton

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8/20/1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-86 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-86 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4-6.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This Action is in response to the Application received on 08/20/1999.
2. The Application has been examined. **Original claims 1-86** are pending. The objections and rejections are stated as below:

Claim Objections

3. The numbering of claims is not in accordance with 37 CFR 1.126 which requires the original numbering of the claims to be preserved throughout the prosecution. When claims are canceled, the remaining claims must not be renumbered. When new claims are presented, they must be numbered consecutively beginning with the number next following the highest numbered claims previously presented (whether entered or not).

In particular, applicants have recited three separate claims each numbered 71. Accordingly, for the purposes of examination, misnumbered claims 71-84 (starting from the second claim 71 on page 55) have been renumbered to 72-86. Additionally, renumbered dependent claims 78-81 are interpreted to depend from renumbered claim 77 and renumbered dependent claims 83-86 are interpreted to depend from renumbered claim 82. Appropriate correction is required.

4. **Claim 62** is objected to because of the following informalities: On page 54, lines 2-4, the phrase "*...the television programming from the television programming from the present through the predetermined time period*" should be corrected to *---the television*

programming from the present through the predetermined time period---. Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1-7, 11-16, 20-21, 26-28, 32-33, 38-43, 48-52, 56-57, 62, 63, 66-68, 69-70, 74-76, 77, 79-81, 82, and 84-86** are rejected under 35 U.S.C. 102(e) as being anticipated by Lawler et al. (Lawler), U.S. Patent No. 5,699,107.

Regarding **method claim 1** and corresponding **apparatus claim 38**, Lawler discloses *a method of providing interactive options for non-frame television programs using a system, the system having a current display time frame, the non-frame television programs being outside the current display time frame* (col. 9, lines 44-48, disclosing EPG comprising 2 week future programming listings; col. 11, lines 53-61, disclosing Every Week option and determination of whether future episodes of the same title appear in the database; col. 12, lines 8-

15, disclosing continuous operation of Every Week reminder [thereby disclosing interactive options for "non-frame" programming)], *comprising*:

- (a) *presenting on a display screen (Fig. 6) at least one option that corresponds to a non-frame television program (col. 11, lines 9-17; discussing future programs options menu 136, including Order 138, Remind 140, Record 130 and Cancel 132);*
- (b) *allowing the user to select a first of said at least one option (col. 11, lines 13-15); and*
- (c) *providing the user a service associated with said first option (col. 11, lines 15-17).*

As for **claim 2**, Lawler discloses *the system comprising a television program guide system (Fig. 6; col. 7, lines 8-16, discussing program time guide).*

As for **claims 3 and 39**, Lawler discloses *determining at least one valid option from a plurality of possible options (col. 11, lines 9-17), wherein said presenting comprises presenting at least one valid option (col. 11, lines 30-39, discussing function of Remind option).*

As for **claims 4 and 40**, Lawler discloses *receiving data that corresponds to said non-frame television program (col. 9, lines 41-48 describing program schedule information stored at head end 12 comprising 2 weeks of future*

programming data; col. 9, lines 49-56 disclosing interactive station controller **18** obtaining programming information from head end **12**); *and wherein said presenting comprises presenting at least some of said data to the user* (col. 12, lines 44-51; Fig. **9**, comprising title **154** and channel identification **156**).

As for **claims 5 and 41**, Lawler discloses *storing said data in a database* (memory system **60**) *after said receiving* (col. 9, lines 49-52), *and wherein said presenting comprises presenting at least some of said data stored in said database to the user* (col. 12, lines 44-51; Fig. **9**, comprising title **154** and channel identification **156**).

As for **claims 6 and 42**, Lawler discloses *presenting comprising notifying said user using an on-screen method* (Fig. **9**; col.12, lines 44-47; see also col. 13, lines 11-15 disclosing reminder icon displayed in program guide).

As for **claims 7 and 43**, Lawler discloses *notifying comprising notifying said user according to at least one procedure selected from a group comprising: notifying said user after said data is received by a local database* (col. 12, lines 44-51; Fig. **9**, comprising title **154** and channel identification **156**), *and notifying said user on a day that said program is broadcast* (Fig. **9**, col. 12, lines 52-63).

As for **claims 11 and 48**, Lawler discloses *presenting comprising displaying a program guide screen that includes a marker that indicates that information regarding a program is included in a program guide database (col. 13, lines 11-16).*

As for **claim 12**, Lawler discloses *presenting comprising displaying a program guide screen including a notification list comprising said first option (col. 13, lines 11-16), said first option being identifiable with a marker selected from a group consisting of an icon when data regarding said non-frame television program is added to a program guide database (reminder icon; col. 13, lines 13-15), said non-frame television program thereby becoming an in-frame television program (col. 12, lines 8-15, disclosing continuous operation of Every Week reminder, col. 9, lines 44-48, disclosing EPG comprising 2 week future programming listings [future programming with Every Week reminder set appears in EPG listing with reminder icon as the two-week advance listings become available to viewing station 16]) .*

As for **claims 13 and 49**, Lawler *discloses presenting comprising displaying a program notification on a program guide screen* (col. 13, lines 11-16).

As for **claims 14 and 50**, Lawler *discloses storing information regarding said non-frame program in a program guide database* (col. 12, lines 16-21); *and wherein said displaying comprises displaying said notification immediately before said program is broadcast* (col. 12, lines 57-61).

As for **claims 15 and 51**, Lawler *discloses storing information regarding said non-frame program in a program guide database* (col. 12, lines 16-21); *and wherein said displaying a program notification includes displaying an option to tune into said program* (col. 13, lines 1-6).

As for **claims 16 and 52**, Lawler *discloses said displaying interrupting another television program* (Fig. 9; col. 12, lines 52-61).

As for **claims 20 and 56**, Lawler *discloses presenting the user with an option to automatically tune to a channel carrying said program when said program is broadcast* (col. 13, lines 1-6).

As for **claims 21 and 57**, Lawler discloses *presenting the user with an option to automatically record said program on a recording device (VCR at viewer station 16; col. 10, lines 38-45) when said program is broadcast (Fig. 10; col. 13, lines 38-47).*

Regarding **method claim 26** and corresponding **apparatus claim 32**, Lawler discloses *a method for providing notifications of a non-frame television programs to a user using a system, the system having a current display time frame, the non-frame television programs being outside the current display time frame (col. 9, lines 44-48, disclosing EPG comprising 2 week future programming listings; col. 11, lines 53-61, disclosing Every Week option and determination of whether future episodes of the same title appear in the database; col. 12, lines 8-15, disclosing continuous operation of Every Week reminder [thereby disclosing notification options for "non-frame" programming]), the method comprising:*

(a) *allowing the user to specify a non-frame television program outside of the current display time frame with a set-top box in the system (col. 11, lines 53-61 discussing operation of Every Week button 146; col. 12, lines 8-15, describing automated reminding from week to week and continued operation until removed by user); and*

(b) *notifying the user with the system when the non-frame television program is now in-frame and is to be broadcast* (Fig. 9; col.12, lines 44-47; see also col. 13, lines 11-15 disclosing reminder icon displayed in program guide)..

As for **claim 27**, Lawler discloses *the system comprising a television guide system* (Fig. 6; col. 7, lines 8-16, discussing program time guide).

As for **claims 28 and 33**, Lawler discloses *a notification option which the user selects to order notifications* (col. 11, lines 30-39, discussing function of Remind option)

Regarding **independent claim 62**, Lawler discloses *a system comprising:*

(a) *a television distribution facility* (Fig. 1; central head end **12**) *that provides* (1) *television programming* (col. 3, lines 60-63), (2) *television programming listings that cover only television programming from the present through a predetermined time period* (Electronic program guide data server **34**; see col. 9, lines 44-48 discussing two-week future programming listings stored at the head-end) *and* (3) *notifications of upcoming television programs scheduled to be broadcast after the predetermined time period* (col. 11, lines 53-61, describing operation of Every Week button **146**; col. 12, lines 16-21 disclosing storage of reminder

tag at head end **12**; see col. 12, lines 8-15 wherein the reminder remains set until removed); *and*

- (b) *a plurality of user television equipment devices (multiple viewer stations 16), wherein each of said devices is connected to the television distribution facility (network 14), and wherein each of said devices is configured to:*
 - (c) *receive and display the television programming provided by the television distribution facility (col. 3, lines 65-67);*
 - (d) *receive and display the television program listings that cover only the television programming from the present through the predetermined time period (col. 9, lines 49-56); and*
 - (e) *receive and display the notifications of the upcoming television programs scheduled to be broadcast after the predetermined time period, wherein the notifications are not part of the television programming (col. 11, lines 53-61, describing operation of Every Week button 146).*

Regarding **independent claim 63**, Lawler discloses *a method for receiving notifications for upcoming programs, comprising:*

- (a) *providing a user with the opportunity to select a program that will air outside a program listings time frame which is currently available to the*

user (col. 9, lines 44-48 disclosing two-week future programming listings; col. 11, lines 53-61 discussing operation of Every Week button **146**; col. 12, lines 8-15, describing automated reminding from week to week and continued operation until removed by user); *and*

- (b) *providing a notification to the user of the availability of the selected program during when the selected program is now in the current program listings time frame* (Fig. 9; col.12, lines 44-47; see also col. 13, lines 11-15 disclosing reminder icon displayed in program guide).

As for **claim 66**, Lawler discloses *providing a notification comprising providing a message notification* (Fig. 9; col.12, lines 44-47)

As for **claim 67**, Lawler discloses *providing a notification comprising providing a reminder notification* (Fig. 9; col.12, lines 44-47; see also col. 13, lines 11-15 disclosing reminder icon displayed in program guide).

As for **claim 68**, Lawler discloses *providing the user with the opportunity to setup a configuration of the notification* (Fig. 8; col. 11, lines 40-67, wherein remind options menu includes options for This Show, Every Week, and Every Day).

Regarding **independent claim 69**, Lawler discloses *a program guide system (Fig. 1; interactive viewing system 10), comprising:*

User equipment (viewer stations 16) that is configured to provide a user with the opportunity to select a program that will air outside the program listings time frame which is currently available to the user (col. 9, lines 44-48 disclosing two-week future programming listings; col. 11, lines 53-61 discussing operation of Every Week button 146; col. 12, lines 8-15, describing automated reminding from week to week and continued operation until removed by user), and is further configured to provide a notification to the user of the availability of the selected program when the selected program is now in the current program listings time frame (Fig. 9; col.12, lines 44-47; see also col. 13, lines 11-15 disclosing reminder icon displayed in program guide).

As for **claim 70**, Lawler discloses *the user equipment comprising user television equipment (interactive station controller 18 with video display 20; see col. 5, lines 57-65).*

As for **claims 74 and 75**, Lawler discloses *the user equipment configured to provide a reminder notification (Fig. 9; col.12, lines 44-47 [disclosure of reminder notification discloses the "message notification" limitation of claim 74];*

see also col. 13, lines 11-15 disclosing reminder icon displayed in program guide).

As for **claim 76**, Lawler discloses *user equipment configured to provide the user with the opportunity to setup a configuration of the notification* (Fig. 8; col. 11, lines 40-67, wherein remind options menu includes options for This Show, Every Week, and Every Day).

Regarding **independent claim 77**, Lawler discloses, *in user television equipment (viewer stations 16), a method for receiving notifications for upcoming programs* (col. 3, lines 41-47), *comprising:*

- (a) *providing a user with the opportunity to specify a program that will air outside a current program listings time frame of user television equipment* (col. 9, lines 44-48 disclosing two-week future programming listings; col. 11, lines 53-61 discussing operation of Every Week button **146**; col. 12, lines 8-15, describing automated reminding from week to week and continued operation until removed by user); *and*
- (b) *displaying a notification of the availability of the selected program during when the selected program is now in the current program listings time frame of the user television equipment* (Fig. 9; col.12, lines 44-47; see also col. 13, lines 11-15 disclosing reminder icon displayed in program guide).

As for **claim 79**, Lawler discloses *displaying including displaying a message notification* (Fig. 9; col.12, lines 44-47).

As for **claim 80**, Lawler discloses *displaying including displaying a reminder notification* (Fig. 9; col.12, lines 44-47; see also col. 13, lines 11-15 disclosing reminder icon displayed in program guide).

As for **claim 81**, Lawler discloses *providing the user with the opportunity to setup a configuration of the notification* (Fig. 8; col. 11, lines 40-67, wherein remind options menu includes options for This Show, Every Week, and Every Day).

Regarding **independent claim 82**, Lawler discloses *a program guide system* (Fig. 1; interactive viewing system 10), *comprising user television equipment* (viewer stations 16) *that is configured to provide a user with the opportunity to select a program that will air outside the current program listings time frame of the user television equipment* (col. 9, lines 44-48 disclosing two-week future programming listings; col. 11, lines 53-61 discussing operation of Every Week button 146; col. 12, lines 8-15, describing automated reminding from week to week and continued operation until removed by user), *and is further configured to display a notification of the availability of the selected program*

when the selected program is now in the current program listings time frame of the user television equipment (Fig. 9; col.12, lines 44-47; see also col. 13, lines 11-15 disclosing reminder icon displayed in program guide).

As for **claim 84**, Lawler discloses *user television equipment configured to display a message notification* (Fig. 9; col.12, lines 44-47).

As for **claim 85**, Lawler discloses *user television equipment configured to display a reminder notification* (Fig. 9; col.12, lines 44-47; see also col. 13, lines 11-15 disclosing reminder icon displayed in program guide).

As for **claim 86**, Lawler discloses *user television equipment configured to provide the user with the opportunity to setup a configuration of the notification* (Fig. 8; col. 11, lines 40-67, wherein remind options menu includes options for This Show, Every Week, and Every Day).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 18-19 and 54-55** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler.

Regarding **claims 18 and 54**, Lawler is relied upon for the teachings as discussed above. Lawler discloses a reminder panel which identifies the program, the channel, and when the program will begin (Fig. 9; col. 12, lines 44-49). Although Lawler does not specifically disclose displaying a program notification including displaying an option to record a program, Lawler does suggest that other types of reminder panels may be used (col. 9, lines 49-51).

Furthermore, Lawler discloses a record options menu (Fig. 10) including an option to record an identified program (This Show button **144**, col. 13, lines 39-41).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the program reminder panel of Lawler to incorporate an option to record, as suggested by Lawler in the record options menu, for the advantage of simplifying process of recording a program selected for a reminder notification.

Regarding **claims 19 and 55**, Lawler is relied upon for the teachings as discussed above. Lawler discloses a programming guide including an option to order pay-per-view programming displayed in the programming guide (col. 11, lines 21-29). Thus Lawler discloses the ordering of pay-per-view programming

when the program is in-frame, but does not specifically disclose an option to purchase the program prior to the programming appearing in the program listing ("non-frame" pay per view).

However, Lawler does disclose reminder and record options for non-frame programming (col.11, lines 9-17), wherein future episodes of selected programming can be selected for recording or a notification reminder prior to the episode appearing in the programming guide (col. 9, lines 44-48, disclosing EPG comprising 2 week future programming listings; col. 11, lines 53-61, disclosing Every Week option and determination of whether future episodes of the same title appear in the database; col. 12, lines 8-15, disclosing continuous operation of Every Week reminder [thereby teaching the selection of "non-frame" programming]).

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the ordering of "in-frame" pay-per-view events with the teaching of Lawler to select non-frame programming for recording or reminder notifications to include *presenting the user with an option to purchase a pay-per-view non-frame television program when the program is in-frame* for the advantage of allowing a user to make programming selections without being constrained by the limited advance scheduling of typical electronic programming guides (EPG's).

9. **Claims 8-10, 17, 29, 30, 34-35, 36, 45-47, 54, 64, 65, 72, 73, 78 and 83** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler et al. (Lawler), U.S. Patent No. 5,699,107 in view of Boyer et al. (Boyer), U.S. Patent Publication No. US 2002/0026496.

Regarding **claims 8 and 44**, Lawler is relied upon for the teachings as discussed above. However, Lawler fails to disclose providing the user with the ability to select a predetermined period of time before notifying and wherein notifying comprises notifying the user at the predetermined period of time before said program is broadcast.

Boyer, though, in the same field of endeavor, teaches a television programming system with email reminders wherein the user may select how soon before a selected program (page 3, paragraph 46) and how often to send an email reminder (page 3, paragraph 48) for the advantage of providing television programming reminder system with user selectable notification options.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lawler to include *providing the user the ability to select a predetermined period of time before notifying; and wherein said notifying comprises notifying said user at said predetermined period of time before the program is broadcast*, as taught by Boyer, for the advantage of advantage of providing television programming reminding system with user selectable notification options.

Regarding **claims 9 and 45**, Lawler is relied upon for the teachings as discussed above. Lawler fails to disclose notifying the user with electronic mail.

However, Boyer, in the same field of endeavor, teaches a television programming system with electronic mail notifications of desired programming (page 1, paragraph 6, paragraph 9; see also page 4, paragraph 51) for the advantage of delivering notifications of programming selections to any internet accessible system.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lawler to include *presenting comprising notifying said user with electronic mail*, as taught by Boyer, for the advantage of delivering notifications of programming selections to any internet accessible system.

The limitation of **claims 10 and 47** is encompassed by the teachings of Lawler in view of Boyer. Specifically, Boyer discloses *providing to said user the ability to select a predetermined period of time before said notifying* (Fig. 3; page 3, paragraph 46); *and wherein said notifying comprises notifying said user at a predetermined period of time before said program is broadcast* (page 3, paragraph 46).

The limitation of **claims 17 and 54** is encompassed by the teachings of Lawler in view of Boyer. Specifically, Boyer discloses *providing to said user the ability to specify notification parameters before said notifying* (Fig. 3; page 3, paragraph 46); *and wherein said notifying comprises notifying said user at a predetermined period of time before said program is broadcast* (page 3, paragraph 46).

The limitation of **claim 46** is encompassed by the Teachings of Lawler in view of Boyer. Specifically, Boyer discloses *means for notifying which can notify said user according to at least one procedure selected from a group consisting of notifying said user at a predetermined period of time before said program is broadcast* (Fig. 3; page 3, paragraph 46).

The limitation of **claims 29 and 34** is encompassed by the teachings of Lawler in view of Boyer. Specifically, Boyer discloses *means for providing a notification option including means for providing a how soon option* (Fig. 3; how soon box 430) *for determining how soon before the broadcast of the non-frame television program the notification is to be generated and sent to the user* (page 3, paragraph 46).

The limitation of **claim 35** is encompassed by the teachings of Lawler in view of Boyer. Specifically, Boyer discloses *means for providing a notification*

option including means for providing a how often option (Fig. 3, remind me box 424) for determining how often the notification is to be generated and sent to the user (page 3, paragraph 45).

The limitation of **claims 65 and 73** is encompassed by the teachings of Lawler in view of Boyer (see discussion of applicants' claims 9 and 45, *supra*). Specifically, Boyer discloses *providing a notification including providing an e-mail notification* (Fig. 6; page 4, paragraph 51).

Regarding **claims 30, 36, 64, 72, 78, and 83**, Lawler is relied upon for the disclosure as discussed above. Although Lawler discloses a programming guide wherein programming selected for a reminder is displayed with a reminder icon in the programming listings (col. 13, lines 11-16), Lawler does not specifically disclose a view current notifications options which provides a list of current notification orders.

Boyer, though, in the same field of endeavor, discloses means for providing a view current notifications option which the user selects to receive a list of current notification orders (Fig. 7; current reminders page 710; page 4, paragraph 52) for the advantage of simplifying the display of multiple reminders in a television programming reminder system.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lawler to include *means for*

providing a view current notifications options which the user selects to receive a list of current notification orders, as taught by Boyer, for the advantage of simplifying the display of multiple reminders in a television programming reminder system.

10. **Claims 22-25, 58-61, 31 and 37** are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler et al. (Lawler), U.S. Patent No. 5,699,107 in view of Maze et al. (Maze), U.S. Patent No. 6,216,264.

Regarding **claims 22 and 58**, Lawler is relied upon for the teachings as discussed above relative to claims 2 and 38. Lawler fails to specifically disclose an option comprising a notification list of options and the method comprising automatically removing the first option from the list after providing.

However, Maze, in the same field of endeavor, discloses a search request list displayed as a screen display (Fig. 5; col. 4, lines 58-59) which provides user options for ongoing searches (col. 5, lines 1-11, disclosing remind, record, and search report options) and removing a completed option after the option has been provided (col. 5, lines 13-14; automatic deletion of search option) for the advantage of removing inactive notifications orders from a user display screen.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lawler to include *at least one option which is a notification list of options, and said method further comprising*

automatically removing said first option from said list after said providing, as taught by Maze, for the advantage of removing inactive notifications orders from a user display screen.

The limitation of **claim 23** is encompassed by the teachings of Lawler in view of Maze. Specifically, Maze discloses *a notification list of options* (Fig. 5, col. 5, lines 1-11), *and said method further comprising automatically removing said first option after a predetermined period of time following an event* (col. 5, lines 13-14; automatic deletion of search option), *wherein said event is selected from a group consisting of the time when said user is presented with said at least one option* (col. 5, lines 10-14, wherein report listing results are displayed and entry is automatically deleted from notification list).

Regarding **claims 24 and 60**, Lawler is relied upon for the teachings as discussed above relative to claims 2 and 38. Lawler fails to disclose presenting in response to a user request and said presenting comprising a notification list including said at least one option.

However, in the same field of endeavor, Maze discloses *presenting in response to a user request* (Fig. 5, col. 4, lines 58-60, wherein a search request screen display is inherently presented in response to a user request of said display), *and said presenting comprising a notification list including said at least one option* (col. 5, lines 1-11, disclosing remind, record, and search report

options) for the advantage of informing a user of available commands by listing them in a user interface screen.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lawler to include *presenting in response to a user request, and said presenting comprising presenting a notification list including said at least one option*, as taught by Maze, for the advantage of informing a user of available commands by listing them in a user interface screen.

The limitation of **claims 25 and 61** is encompassed by the teachings of Lawler in view of Maze. Specifically, Lawler discloses *a notification list further including at least one option that corresponds to an in-frame television program* (Fig. 8; col. 11, lines 47 discussing This Show Button **144**), *said presenting comprising presenting said at least one option in said list such that said in-frame and non-frame options are distinguishable to said user* (col. 11, lines 58-61; discussing Every Week button **146**, which is displayed only when the title of selected programming occurs in the next week, thereby disclosing 'non-frame' programming).

Regarding **claims 31 and 37**, Lawler is relied upon for the disclosure as discussed above. Although Lawler provides for selecting programs for notification from the program listings, Lawler fails to disclose selecting to order a notification by entering a program title.

Maze, however, in the same field of endeavor, discloses *a program notifications option selected by the user to order a notification by entering a program title* (Fig. 2; col. 2, lines 48-64 disclosing user entry of text search string; see col. 5, lines 30-45 discussing operation of search program and resulting display of program reminder) for the advantage of enhancing a user's ability to locate programming in a television programming schedule through direct entry of a desired title.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lawler to include providing a new notifications option that the user selects to order a notification by entering a program title, as taught by Maze, for the advantage of enhancing a user's ability to locate programming in a television programming schedule through direct entry of a desired title.

11. **Claim 71** is rejected under 35 U.S.C. 103(a) as being unpatentable over Lawler et al. (Lawler), U.S. Patent No. 5,699,107 in view of Knee et al. (Knee), U.S. Patent No. 5,589,892.

Regarding **claim 71**, Lawler is relied upon for the teachings as discussed above relative to claim 69. Lawler fails to specifically disclose user equipment comprising personal computer equipment.

However, Knee, in the same field of endeavor, discloses an EPG system wherein the user equipment is personal computer equipment (col. 9, lines 50-58; see also col. 11, line 66 – col. 12, line 3) for the advantage of integrating PC (personal computer) functions (e.g., data processing, video games, internet access) with television programming selection and viewing.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lawler to include *user equipment comprising personal computer equipment*, as taught by Knee, for the advantage of integrating PC (personal computer) functions (e.g., data processing, video games, internet access) with television programming selection and viewing.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schein et al. (Schein), U.S. Patent No. 5,801,787 discloses a television guide system which includes searching for other occurrences of a particular show in the program listings (col. 5, line 63 – col. 7, line 8) and further discloses storing a request when no further instances of a desired show are presently in the guide

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listings and informing the user when such program is added to the listings (col. 7, lines 27-31).

Alexander et al (Alexander), U.S. Patent No. 6,177,931 discloses a television guide system incorporating user selectable advertisements which, upon selection by the user, set a reminder for the advertised program (col. 25, line 50 – col. 26, line 3, note disclosure of “...no practical limit on how far into the future an associated show may be scheduled to air...”).

13. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

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14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian Shelton whose telephone number is (703) 305-8714. The examiner can normally be reached on Monday-Friday, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the primary examiner, Christopher Grant can be reached on (703) 305-4755. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Brian Shelton
Examiner
Art Unit 2611


CHRIS GRANT
PRIMARY EXAMINER